

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JOHN ALBERICI</b> , individually and on behalf of all other similarly situated  <b>v.</b>  <b>RECRO PHARMA, INC., GERALDINE A. HENWOOD, RYAN D. LAKE, and MICHAEL CELANO, STEWART MCCALLUM, and JOHN HARLOW</b>	<b>CIVIL ACTION</b>  <b>NO. 18-2279</b>
--	---

**ORDER RE MOTION TO DISMISS AMENDED COMPLAINT**

**AND NOW**, this 14th day of February 2020, upon consideration of Defendants' Motion to Dismiss the Amended Complaint, (ECF 31), Plaintiff's Response in Opposition, (ECF 32), Defendants' Reply, (ECF 33), and the supplemental briefing, (ECF 41 (Plaintiff's Supplemental Memorandum); ECF 43 (Defendants' Supplemental Memorandum)), and for the reasons stated in the foregoing Memorandum, it is hereby **ORDERED** that Defendants' Motion is **GRANTED** and Plaintiff's Amended Complaint is **DISMISSED** without prejudice. Plaintiff may file a second amended complaint within fourteen days of this Order.

**BY THE COURT:**

s/ **Michael M. Baylson**

---

**MICHAEL M. BAYLSON**  
**United States District Judge**